

### **REMARKS**

Claims 1-18 are pending in the present application. By this Reply, new claim 18 has been added. Claims 1, 6 and 17 remain independent.

The claims have been amended to correct informalities and to clarify the invention. These modifications do not add new matter. For instance, new claim 18 is fully supported by the original disclosure, for example, paragraphs [027] and [065] of the specification.

#### **Drawing Objection**

The drawings have been objected to as failing to comply with 37 CFR § 1.84(p)(4) because reference character "36" has been used to designate "one or more terminals". This objection is respectfully traversed.

Applicants' Figure 1 depicts, as an example, two terminals 36, 36 to illustrate that one or more terminals can be provided in the present system. Thus, the drawings are in full compliance with 37 CFR § 1.84(p)(4) and this objection to the drawings should be withdrawn.

#### **35 U.S.C. § 112, Second Paragraph, Rejection**

Claims 2-4 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. To overcome this rejection, claim 2 has been amended to clarify the invention. Thus, this rejection should be withdrawn.

#### **35 U.S.C. § 103 Rejection**

Claims 1-5 have been rejected under 35 U.S.C. § 103 as being unpatentable over Searby (EP 0589724) with Applicants' disclosed related art and further in view of Patton et al. (U.S. 6,795,209), Zhou (U.S. Pub. No. 2002/0015447) and Baggs et al. (U.S. Pub. No. 2003/0231801). Claims 6-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Searby with Applicants' disclosed related art, Patton et al., Zhou, Baggs et al. and further in view of Ishikawa (U.S. Pub. No. 2002/0140987). These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

The Examiner alleges that Searby modified in view of Applicants' disclosed related art, teaches or suggests the invention as set forth in independent claims 1, 6 and 17. Applicants respectfully disagree.

Searby is directed to an electronic image processing system which does not disclose the feature of “the controller is further configured to extract data encoding the preview image from the stream of data, and to write the extracted data to a thumbnail file” as recited in independent claim 1. Claim 6 and 17 also recite similar features in a varying scope. In fact, there is no mention of a thumbnail file in Searby. Similarly, Applicants’ disclosed related art provided on pages 1 and 2 of the specification does not disclose extracting data encoding the preview image and writing the extracted data to a thumbnail file, as claimed. Furthermore, none of the secondary references applied by the Examiner teach or suggest this claimed feature since the secondary references are used to reject the dependent claims.

The above feature claimed in independent claims 1, 6 and 17 is advantageous over the applied art, because it enables the user to quickly view at least part of the image, possibly while the image is being scanned, and/or to select a section of the scanned image in order to access the scan quality. Furthermore, storing a thumbnail file of a master file enables a user to know which image is stored in each master file. Moreover, due to the presence of the thumbnail file in Applicants’ invention, it is unnecessary to down sample each master file in order to generate an image for display, which is a limitation associated with Applicants’ disclosed related art, for example, see paragraph [019] of the specification.

Therefore, even if the references were combinable, assuming *arguendo*, the combination of references would still fail to teach or suggest at least the above-noted features recited in independent claims 1, 6 and 17 and their dependent claims (due to their dependency). Thus, these rejections are improper and should be withdrawn.

### **CONCLUSION**

For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and an early issuance of a Notice of Allowance is respectfully requested.

Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

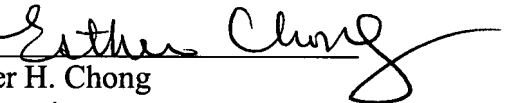
Application No. 10/607,057  
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Docket No.: 0142-0411P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By   
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